

#6 11/22/01  
Terry



BOX SEQUENCE  
PATENT  
0147-0229P

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IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Helmut ECKERT et al. Conf.: 2392

Appl. No.: 09/889,300 Group: UNASSIGNED

Filed: July 13, 2001 Examiner: UNASSIGNED

For: USE OF ANTIBODIES FOR THE VACCINATION  
AGAINST CANCER

LETTER SUBMITTING COMPUTER READABLE FORM OF SEQUENCE LISTING

Assistant Commissioner for Patents  
Washington, DC 20231

November 5, 2001  
(Monday)

Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed September 4, 2001, enclosed herewith in full compliance to 37 C.F.R. §§1.821-1.825 is a disk copy of the Sequence Listing as originally filed on July 13, 2001. The disk copy of the Sequence Listing, file "2001-11-05 0147-0229P SL.txt", is identical to the paper copy filed July 13, 2001, except that it lacks formatting.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By myself #36,623  
Leonard R. Svensson, #30,330

LRS/CAV  
0147-0229P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachments: Disk Copy of Sequence Listing  
Copy of Notice to Comply

(Rev. 03/27/01)



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT		ATTY. DOCKET NO.
09/889300	ECKERT		H 0147-0229P
NOV 05 2001		INTERNATIONAL APPLICATION NO.	
PATENT & TRADEMARK OFFICE		PCT/EP00/00174	
LEONARD R SVENSON BIRCH R STEWART KOLAS & BIRCH PO BOX 747 FAKLLS CHURCH, VA 22040 0747		I.A. FILING DATE	PRIORITY DATE
		12 JAN 00	13 JAN 99

DATE MAILED: 04 SEP 2001

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- The application fails to comply with the requirements of 37 CFR 1.821-1.825.
- This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- Other: \_\_\_\_\_

**APPLICANT MUST PROVIDE:**

- An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE  
CALL:

(703) 308-4216, for Rules interpretation,  
(703) 308-4212, for CRF submission help,



U.S. APPLICATION NO.	FIRST NAMED APPLICANT		ATTY. DOCKET NO.
09/889300	ECKERT H		0147-0229P
		INTERNATIONAL APPLICATION NO.	
LEONARD R SVENSON BIRCH R STEWART KOLASH & BIRCH PO BOX 747 FAKLLS CHURCH, VA 22040 0747		PCT/EP00/00174	
		I.A. FILING DATE	PRIORITY DATE
		12 JAN 00	13 JAN 99

*11-4701  
DOCKETED HS  
Perfect  
Sequence Listing*

DATE MAILED: 04 SEP 2001

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as  a Designated Office (37 CFR 1.494)  an Elected Office (37 CFR 1.495):

U.S. Basic National Fee.  Indication of Small Entity Status.  
 Copy of the international application.  Translation of the international application into English.  
 Oath or Declaration of inventors(s).  Translation of Article 19 amendments into English.  
 Copy of Article 19 amendments.  Other:  
 Priority Document.  
 The International Preliminary Examination Report in English and its Annexes, if any.  
 Translation of Annexes to the International Preliminary Examination Report into English.

2.  Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

U.S. Basic National Fee.  Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ \_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5.  Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.  
7.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

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532 Rec'd 05 NOV 2001 PCT

BOX SEQUENCE

PATENT

0147-0229P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Helmut ECKERT et al. Conf.: 2392

Appl. No.: 09/889,300 Group: UNASSIGNED

Filed: July 13, 2001 Examiner: UNASSIGNED

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SMALL ENTITY TRANSMITTAL FORM

TECH CENTER 1600/2900

Assistant Commissioner for Patents  
Washington, DC 20231

November 5, 2001  
(Monday)

Sir:

Transmitted herewith is a letter in the above-identified application.

Applicant claims small entity status under 37 C.F.R. § 1.27.

The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The enclosed document is being transmitted via facsimile.

The fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR			PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL	11	-	11	=	0	\$ 9	\$0.00
INDEPENDENT	1	-	1	=	0	\$ 40	\$0.00
FIRST PRESENTATION OF A MULTIPLE CLAIM						\$135	\$0.00
						TOTAL	\$0.00

Petition for ( ) month(s) extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). \$0.00 for the extension of time.

No fee is required.

A check in the amount of \$0.00 is enclosed.

Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Leonard R. Svensson #30,330  
Leonard R. Svensson, #30,330

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(703) 205-8000

Attachment